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Atorneys for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

IT IS HEREBY STIPULATED by and between the parties, through their undersigned attorneys, and with the approval of the Court, that this action be remanded for further administrative action pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C.

¹ Carolyn Colvin became the Acting Commissioner of Social Security on November 30, 2024. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn Colvin should be substituted for Martin O’Malley as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

§ 405(g), sentence four. On remand, the Appeals Council will remand the case to an administrative law judge (ALJ) with instructions to reevaluate the medical opinions and prior administrative medical findings; reevaluate Plaintiff's residual functional capacity; as needed, continue the sequential evaluation process and obtain vocational expert testimony, if warranted; take action to further develop the record, as necessary; offer Plaintiff the opportunity for a hearing; and issue a new decision.

The parties further request that the Court direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Acting Commissioner.

Respectfully submitted,

DATE: December 5, 2024

/s/ Francesco Paulo Benavides*

FRANCESCO PAULO BENAVIDES
Attorney for Plaintiff

*Authorized via e-mail on December 5, 2024

PHILLIP A. TALBERT
United States Attorney

MATHEW W. PILE
Associate General Counsel
Office of Program Litigation, Office 7

DATE: December 5, 2024

By: /s/ Justin L. Martin
JUSTIN L. MARTIN
Special Assistant United States Attorney
Office of Program Litigation, Office 7

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2 **ORDER**
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4 Based upon the parties' stipulation to Voluntary Remand Pursuant to Sentence Four of 42
5 U.S.C. § 405(g) and to Entry of Judgment, and for cause shown, IT IS ORDERED that the
6 above-captioned action is remanded to the Acting Commissioner of Social Security for further
7 proceedings pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g),
8 sentence four. On remand, the Appeals Council will remand the case to an administrative law
judge for a new decision in accordance with the parties' Stipulation.

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10 Dated: December 11, 2024

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13 DENNIS M. COTA
14 UNITED STATES MAGISTRATE JUDGE
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